

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CIVIL LAW AND MOTION MINUTE ORDER

Date: 8/13/2020	Time: 2:31-2:50	Judge: DONNA M. RYU
Case No.: 3:18-cv-00358-WHA	Case Name: Uniloc USA, Inc., et al v. Apple Inc.	

For Plaintiffs:

James Foster

For Defendant:

Doug Winnard

Deputy Clerk: Ivy Lerma Garcia

Court Reporter: Pamela Batalo-Hebel

PROCEEDINGS HELD BY ZOOM VIDEO CONFERENCE

1. Joint Discovery Letter Brief [Docket No. 151]
Apple's motion to compel: granted in part and denied in part.

Issue 1: Apple's motion for leave to depose James Palmer is denied as moot, without prejudice. Apple may seek leave from Judge Alsup either to depose Palmer or to request permission to raise the issue before Judge Ryu.

Issue 2: by no later than 8/20/2020, Uniloc and Fortress shall produce all documents and communications regarding Uniloc's compliance with any revenue target set forth in the RSA, including documents and communications between Uniloc and Fortress or within Fortress regarding revenue and financial information, for the time period three weeks before 3/31/2017 and three weeks after 3/31/2017 (total of six weeks).

Issue 3: by no later than 8/20/2020, Uniloc and Fortress must remedy their production of "fragmented print-outs" by producing full, complete documents. If Uniloc and/or Fortress contend that any portions of the documents produced are subject to redactions, they must leave enough information in the documents unredacted in order to provide context for the redactions and must also produce a privilege log by the same date documenting the redactions. The privilege log must fully comply with Judge Ryu's Standing Order. As to Fortress's investment memorandum, by no later than 8/20/2020, Fortress must produce the full document to Apple, and must un-redact portions of the memorandum that describe the portfolios (collateral) that Fortress viewed as protection. If Fortress seeks to redact any other portions of the memorandum, it must leave enough information unredacted to provide context for the redactions, and must include any redacted material on the privilege log as described above. The parties shall meet and confer regarding the memorandum, and if any dispute remains about the redactions, Fortress shall lodge the full, unredacted document and its privilege log with

the court by no later than 8/27/2020 for in camera review, without additional argument. The court will issue a further order following any in camera review.

Issue 4: by no later than 8/20/2020, Uniloc and Fortress shall file a letter describing the specific instructions they gave to their custodians regarding the search for communications about the RSA provisions identified by Apple, and listing the custodians whose files were searched for responsive documents.

Order to be prepared by:

☐ Plaintiff ☐ Defendant ☐ Court

cc: Chambers